

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| <b>Applicant(s):</b> | Barnard, et al.  | <b>Docket:</b>   | 135717           |
| <b>Serial No.:</b>   | 10/016,677   | <b>Art Unit:</b> | 2667             |
| <b>Filed:</b>        | December 10, 2001  | <b>Examiner:</b> | Rhonda L. Murphy |
| <b>Title:</b>        | Failover Apparatus and Method for an Asynchronous Data Communication Network |                  |                  |

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**AMENDMENT UNDER 37 C.F.R. § 1.116**

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M/S Non-Fee Amendments  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the Final Office Action ("Office Action") dated June 5, 2006, Applicants respectfully request entry of the following amendment to the claims under 37 C.F.R. §1.116 on the grounds that the amendment places the application in condition for allowance.